

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

LENWORTH HASTINGS,)	2:11-CV-00762-PMP-RJJ
)	
Plaintiff,)	<u>ORDER</u>
)	
vs.)	
)	
CAL WESTERN RECONVEYANCE)	
CORP., <i>et al.</i>)	
)	
Defendants.)	

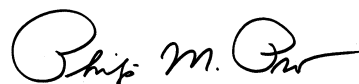
Before the Court for consideration is Defendants' fully briefed Motion for Summary Judgment (Doc. #6) filed June 13, 2011. For the reasons set forth in Defendants' Motion (Doc. #6) and Reply (Doc. #38), the Court finds Defendants are entitled to the relief requested.

Specifically, the record does not support Plaintiff's argument that Defendants' efforts to foreclose on the subject property violates any automatic stay provisions of the bankruptcy code. Moreover, the record is unambiguous that Plaintiff is in default on his mortgage loan and has been since approximately August 2008. Nothing in Plaintiff's Complaint alleges that he will receive or is entitled to receive a loan modification and it is clear that Defendants have no obligation to modify Plaintiff's mortgage loan.

IT IS THEREFORE ORDERED that Defendants' Motion for Summary Judgment (Doc. #6) is **GRANTED** and that judgment shall forthwith be entered in favor of the Defendants and against Plaintiff.

IT IS FURTHER ORDERED that any recorded Lis Pendens is hereby rescinded.

DATED: September 6, 2011.



PHILIP M. PRO
United States District Judge